

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.464/2017

Ashok @ Amol Singh S/o Vijay Singh Bayes

..Vs..

State of Maharashtra, through Police Station Officer, Police Station
Ramdaspath, Akola, Tq. and Distt. Akola

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.R. Vyas, Adv. for the applicant.
Shri V.A. Thakre, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 11.7.2017.

Heard.

Apprehending arrest in connection with crime registered for the offence punishable under Sections 406, 409, 420, 120-B of the Indian Penal Code, Section 3 of the Maharashtra Protection of Interests of Depositors (in Financial Establishment) Act, 1999 and Sections 3, 4, 5, 5(a), 5(b), 5(c), 6, 6(2) of the Price Chit and Money Circulation Scheme (Banning) Act, 1978, the applicant seeks pre-arrest bail.

The case of the investigating agency is that co-accused Varsha Madhusudan Satpalkar and Janardhan Parulekar, Directors of Maitreya Plotters and Structures Private Limited have duped investors of Rs.21,44,58,260/-. According to the investigating

agency, the applicant was working with the company and was handling affairs of Akola branch. It is submitted that custodial interrogation of applicant is necessary to track the amount collected by the company from the investors.

The facts on record show that Janardhan Parulekar, Director of company is in jail and Smt. Varsha Madhusudan Satpalkar another Director of the company is wanted by the investigating agency.

The applicant has placed on record material to substantiate the claim that he was working as an employee in the company since 2005 and was paid salary.

The charge-sheet is filed on 20th January, 2017. The applicant had earlier filed Criminal Application (ABA) No.716/2016 in which an interim order was passed on 17th October, 2016 granting protection to the applicant. Criminal Application (ABA) No.716/2016 was withdrawn by the applicant as charge-sheet came to be filed, with liberty to file application for pre-arrest bail before the trial Court and the interim protection was continued for period of two weeks. The applicant had moved an application under Section 438 of the Code of Criminal Procedure before the trial Court which is dismissed and, therefore, the applicant is before this Court.

Considering the facts of the case, the following order is passed:

In the event of arrest in connection with

Crime registered vide F.I.R. No.198/2016 by the non-applicant, the applicant be released on bail on executing P.R. bond for Rs.50,000/- (Rs. Fifty Thousand) and furnishing two solvent sureties in the like amount.

At the time of hearing a specific statement is made that the applicant is not having passport in his name.

The applicant shall file an affidavit to that effect before the Special Court within two weeks.

The applicant shall attend the trial before the Special Court regularly on every date unless granted exemption by the Special Court.

The application is **allowed** in the above terms.

JUDGE